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Attorney for Plaintiffs  
MARQUES PHILLIPS and CYNTHIA PHILLIPS

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

MARQUES PHILLIPS and CYNTHIA M.  
PHILLIPS,

Plaintiffs,

v.

CITY OF FAIRFIELD, CHIEF OF POLICE  
WILLIAM GRESHAM, OFFICER MARK  
SCHRAER, OFFICER CHAD TIGERT,  
OFFICER STEVE TROJANOWSKI, JR.,  
OFFICER MIKE BEATTY, OFFICER  
MATTHEW THOMAS, OFFICER STEPHEN  
RUIZ, OFFICER TROY OVIATT, OFFICER  
JEREMY NIPPER, OFFICER FRANCO  
CESAR, OFFICER CADE BECKWITH, and  
DOES 1 through 13,

Defendants.

Case No: CIV-S-04-0377 FCD JFM

**STIPULATION AND ORDER TO  
CONTINUE TRIAL TWO WEEKS DUE  
TO WITNESS UNAVAILABILITY**

The parties to this action, Plaintiffs MARQUES PHILLIPS and CYNTHIA PHILLIPS and Defendants CITY OF FAIRFIELD, POLICE OFFICERS MARK SCHRAER, CHAD TIGERT, STEVEN TROJANOWSKI, JR., MIKE BEATTY, MATTHEW THOMAS, STEPHEN RUIZ, TROY OVIATT, JEREMY NIPPER, FRANCO CESAR and CADE BECKWITH, by and through their attorneys of record, hereby stipulate to continue the trial presently set for October 17, 2006 for two weeks, or until October 31, 2006. This stipulation is due to the unavailability of Defendants' witness Police Chief William Gresham who had a long standing vacation scheduled in conflict with the earlier trial date. The parties have cleared the new trial date with the Court's clerk.

Dated: May 5, 2006

MEYERS, NAVE, RIBACK, SILVER & WILSON

By: /s/ Kimberly E. Colwell

Kimberly E. Colwell  
Attorneys for Defendants CITY OF FAIRFIELD,  
POLICE OFFICERS MARK SCHRAER, CHAD  
TIGERT, STEVEN TROJANOWSKI, JR., MIKE  
BEATTY, MATTHEW THOMAS, STEPHEN RUIZ,  
TROY OVIATT, JEREMY NIPPER, FRANCO  
CESAR and CADE BECKWITH

Dated: May 5, 2006

LAW OFFICES OF MISTER PHILLIPS

By: /s/ Mister Phillips

Mister Phillips  
Attorney for Plaintiffs MARQUES PHILLIPS  
and CYNTHIA PHILLIPS

**ORDER**

Good cause appearing, IT IS SO ORDERED that the trial of this matter shall be continued for two weeks, or until October 31, 2006.

Dated: May 5, 2006

/s/ Frank C. Damrell, Jr.  
JUDGE FRANK C. DAMRELL, JR.

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